IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

Bail Appl..No. 1035 of 2007()

CMP.1146/2007 of J.M.F.C.-I,NEYYATINKARA

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: PETITIONER/ACCUSED:

SUKUMARAN, AGED 55 YEARS,
S/O.KUTTAN, RESIDING AT DERPPAVILA VEEDU,
ELAVANIKKARA, PERUMBAZHATHOOR VILLAGE,
VELIYAMCODE P.O., NEYYATTINKARA TALUK,
THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.GEO PAUL
SRI.SANU MATHEW

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
EXCISE INSPECTOR, NEYYATTINKARA
EXCISE RANGE, BY PUBLIC PROSECUTOR, HIGH
COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.1035 OF 2007

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DATED THIS THE 26th DAY OF FEBRUARY, 2007

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Cr.No.5/07 of Neyyattinkara Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act for having been found in possession of 2.5 litres of arrack on 9.2.2007 and who was arrested on the same day, seeks his enlargement on bail.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 09.03.2007. Accordingly, the petitioner is directed to be released on bail with effect from 09.03.2007 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Neyyattinkara and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn